

**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 10th day of February, 2005

**Bail application No. 60 of 2005
Order on Bail Application of accused**

CRIMINAL SIDE

Sonu S/o Late Shri Ved Prakash
R/o Village – Laheboli
Police Station – Manglaur
District - Haridwar

... Applicant

Versus

State of Uttaranchal

... Opposite Party

Arising out of case crime No. 132 of 2004
U/Ss 363, 366, 506 of I.P.C.
Police Station – Manglaur
District – Haridwar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 132 of 2004, U/Ss 363, 366, 506 of I.P.C., Police Station – Manglaur, District – Haridwar.

Heard Sri Rajendra Singh, learned counsel for the applicant, learned A.G.A. and perused the record.

The statement u/s 161 as well as 164 Cr.P.C. of the prosecutrix nowhere shows that she was subjected to rape at any stage by the applicant. The prosecutrix was recovered immediately after sometime of the occurrence.

The applicant is in jail since 29.05.2004 and learned A.G.A. could not show any criminal history of the applicant.

Having considering the aforesaid facts & circumstances, I think it would be just and proper to release the applicant on bail at this stage.

Let the applicant, Sonu be released on bail on executing personal bond and furnishing two sureties each in the like amount to the satisfaction of J.M., Roorkee.

February 10, 2005
Shiv

(B.C. Kandpal, J.)